REMARKS

Claims 1 - 7 and 15 – 17 are in the application. Claims 1, 15, and 16 are currently amended; claims 2 – 7 and 17 were previously presented; and claims 8 – 14 have been canceled. Claims 1, 15, and 16 are the independent claims herein.

No new matter has been added to the application. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1 - 7 and 15 – 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Diacakis et al. (U.S. Publication No. 2002/0116336, hereinafter "Diacakis"). This rejection is respectfully traversed.

Regarding the rejection of claim 1, Applicant notes that claim 1 relates to a method that includes determining a device context for a specific device associated with an identity, wherein the device context provides an availability status of the specific device; determining an identity context for the identity, wherein the identity context provides an availability status of the identity; determining an availability rule associated with the identity; and determining a true availability of the identity based, at least in part, on the device context of the specific device, the identity context, and the availability rule.

Clearly, the claimed device context provides an availability status of the specific device to which the availability status relates. Furthermore, the claimed true identity is based on, at least in part, the claimed device context of the specific device, identity context, and availability rule.

Applicant respectfully notes that claims 15 (reciting an article of manufacture) and claim 16 (reciting a system) are worded similar to claim 1. For example, claim 15 (reciting an article of manufacture) and claim 16 (reciting an apparatus) are worded similar to claim 1 regarding the claimed device context, and determining the true availability of the identity.

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Applicant respectfully submits that the cited and relied upon Diacakis does not disclose or suggest, at least, the claimed determining a device context for a specific device associated with an identity, wherein the device context provides an availability status of the specific device or the claimed true identity based on, at least in part, the claimed device context of the specific device, identity context, and availability rule. Applicant reiterates that the claimed device context provides an indication of a status of a specific device.

Diacakis discloses, "the presence engine 18 may ascertain the individual's presence on each of the monitored networks" (emphasis added) (See Diacakis, paragraph [0055]). Further, Diacakis discloses a method and system where "the individual may define a series of profiles that describe a situation that the individual may be in" (paragraph [0031], In. 17-20); "an individual may have an office profile.... The individual may specify which persons belong to each access level for each profile." (paragraph [0032]); "P&A management system server 12 detects a change in, for example, the individual's situation" (paragraph [0034]); "P&A management server 12 detects that the individual is at work, the server 12 transmits the individual's updated P&A information to the clients 22" (paragraph [0035]); and "the presence detection engine 18 may determine additional information about the individual (paragraph [0045]).

Applicant respectfully submits that the cited and relied upon Diacakis does not disclose or suggest, at least, the claimed detecting a device context for a specific device associated with an identity, wherein the device context provides an availability status of the specific device; and providing data indicative of the mapped identity context. Applicant emphasizes that the claimed device context relates to a specific device and provides an indication of an availability status of the specific device.

In contrast to claims 1, 15, and 16, Diacakis clearly discloses determining a presence of an individual (or a group of individuals) on a communication network and an availability of the individual on the communication network. (See Diacakis, Abstract and paragraphs [0026], [0028], and [0031]) Diacakis discloses, "the P&A management server 12 detects that the individual is at work, the server transmits the individual's

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updated P& A information" (i.e., presence of individual) The presence detection engine 18 receives various inputs to determine the individual's presence (Diacakis, paragraph[0040]) As explained at Diacakis paragraphs [0042] – [0043], various hardware devices may provide information to facilitate the determining of the presence of the individual.

Diacakis discloses, "[T]he presence detection engine 18 may <u>determine an individual's presence upon particular networks</u> based on various inputs, as described further hereinbelow. The presence detection engine 18 may transmit the presence information to the availability management engine 20, which in turn may <u>determine the individual's availability</u> based on the presence information as well as additional information, such as the individual's situation and defined rules and preferences. The determined availability information may then be transmitted to subscribers of the individual's availability information via the network 16, as described previously." (Diacakis, paragraph [0038])

Thus, Diacakis may provide an availability of an individual and the availability of the individual on one or more communication networks. However, Diacakis does not disclose or suggest providing an availability status of any specific device associated with an individual. Diacakis does not determine the availability of specific, distinct devices. Diacakis, at most, provides an availability of communication networks that may support various communication devices. The availability of a specific device on a communication network does not appear to be a concern or desire (either explicitly or implicitly).

Applicant reiterates that Diacakis determines an availability of an individual and the availability of a communication network but fails to disclose or suggest the availability of a "specific device". As illustrated in FIG. 8, Diacakis interprets the availability of a contact (e.g., Jonathan) by providing an indication of Jonathan's availability on two communication networks, i.e., IM system ("IM" symbol) and telephone network (phone icon). Diacakis assumes that the individual is available based on the contact's detected presence on the two communication networks.

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Accordingly, Applicant respectfully submits that the cited and relied upon Diacakis fails to disclose each and every aspect of the pending claims 1, 15, and 16, as is required for anticipation under 35 USC 102(b). In particular, Diacakis does not disclose detecting a device context for a specific device associated with an identity, wherein the device context provides an availability status of the specific device.
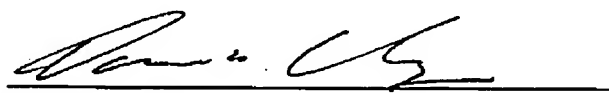
Claims 2 – 7 and 17 depend from claim 1. Applicant respectfully submits that claims 2 – 7 and 17 are also patentable over Diacakis under 35 USC 102(b) for at least depending from a patentable base claim. Therefore, the reconsideration and withdrawal of the rejection of claims 1 – 7, 15, and 16 are respectfully requested, as well as the allowance of same.

CONCLUSION

Accordingly, Applicant respectfully requests allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (408) 492-5336.

Respectfully submitted,

26 Feb. , 2007
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